

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 28, 2010

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2),  
Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** **Councilor Rabideau**

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on January 21, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kelly; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 27, 2010 in the amount of \$ 238,420.71 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of January 21 – January 27, 2010
- Report from the Building Inspector's Office from January 7 – January 26, 2010

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**4 CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the

amount of \$ 743,918.63 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL: None**

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**7. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves City Engineer to reject all bids and re-advertise for Contract #2009-14, "Police Department Roof Replacement."

By Councilor Carpenter; Second by Councilor Valentine  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign Amendment No. 1 to the Architectural Service Agreement with AES Northeast, PLLC, in an amount not to exceed \$6,435.00 to prepare plans and specifications for a pitched roof design for the City Police Department Roof Replacement to be funded from Capital Project H3410.34 "2009 Public Service Building Improvements."

By Councilor Calnon; Second by Councilor Kelly  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves David Powell, Chief Plant Operator, WPCP to advertise for sealed bids for Contract # 2010-01 "Laboratory Services for Water Pollution Control Plant" Bid Opening Date: February 19, 2010 at 11:00 am.

By Councilor Jackson; Second by Councilor Kelly  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore the Common Council approves David Powell, Chief Plant Operator, WPCP to advertise for sealed bids for Contract # 2010-02 “Dewatering Chemicals (Polymer) for Water Pollution Control Plant” Bid Opening Date: February 19, 2010 at 11:00 am.

By Councilor Jackson; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves David Powell, Chief Plant Operator, WPCP that Contract #2008-15 awarded to Slack Chemical Company, Inc. for “Sodium Hypochlorite for the Water Pollution Control Plant” be extended for one-year for an estimated quantity of 68,000 gallons at a unit price of \$0.858 per gallon at a 2010 budget cost of \$78,200 to cover the use of this chemical for the year.

By Councilor Calnon; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves that Contract #2008-16 awarded to Slack Chemical Company, Inc. for “Liquid Alum for the Water Pollution Control Plant” be extended for one-year for an estimated quantity of 74 dry tons at a unit price of \$459.89 per dry ton at a 2010 budget cost of \$25,900 to cover the use of this chemical for the year.

By Councilor Jackson; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves that Contract #2008-17 awarded to Thatcher Chemical Company, Inc. for “Sodium Thiosulfate for the Water Pollution Control Plant” be extended for one-year for an estimated quantity of 18,000 gallons at a unit price of \$2.19 per gallon at a 2010 budget cost of \$43,200 to cover the use of this chemical

for the year.

By Councilor Valentine; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**H. RESOLVED:** In accordance with the request therefore the Common Council approves Police Chief Desmond Racicot to continue the contract with James Burgess the Nuisance Animal Control Officer at the same rate as 2009.

By Councilor Calnon; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**I. RESOLVED:** In accordance with the request therefore the Common Council approves Police Chief Desmond Racicot to continue the contract with ELMORE SPCA, INC. for Animal Shelter Services for 2010 at the same terms and rates as 2009.

By Councilor Calnon; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**J. RESOLVED:** In accordance with the request therefore the Common Council approves Police Chief Desmond Racicot to continue the contract with Ron Santor as the Police Department's Training Director for 2010 and the cost will remain the same as in the past and will be paid out of Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**K. RESOLVED:** In accordance with the request therefore the Common Council approves Police Chief Desmond Racicot to continue the contract with Ron Santor as the Basic Academy Director for

2010 and the cost will remain the same as in the past and will be paid out of Asset Forfeiture Fund.

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**L. RESOLVED:** In accordance with the request therefore the Common Council approves Police Chief Desmond Racicot to approve the contract with CVI for Cleaning Services at the Police Department for 2010. There has been an increase in the cost, which is attributed to the increased cost of supplies and labor.

By Councilor Jackson; Second by Councilor Calnon

Discussion:

**Councilor Jackson** asked if he could make a motion to table this request unless we got an answer. **Mayor Kasprzak** said we have an answer from **Police Chief Desmond Racicot** because he called **Captain Branch**. **Captain Branch** stated that when **Police Chief Desmond Racicot** was working on the budget he was using the figure from last year for the cleaning service. After the budget was finalized he got the bill for this year which is the increase you are seeing. Apparently there was some negotiation between the **Chief** and CVI to lower the price that they originally wanted and that is what you are seeing now and that is the reason for the change.

**Councilor Calnon** said it is a 46% increase and I understand since the price was made two years ago there has been an increase in minimum wage which I know affects the CVI budget. 46 % is an awful lot of money even if it had happened twice and it was 23% a year. That is a hefty increase and he is not inclined to approve this without...

### **Motion to table**

By Councilor Jackson; Second by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Tabled

Follow up Action: None

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## **8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves two police officers to attend the "Training Management & Risk Mitigation for SWAT Course" in Poughkeepsie, NY from February 3 – 5, 2010 at an estimated cost not to exceed \$1,911 and will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request from the Plattsburgh Farmers and Crafters Market group to manage the Farmers Market for the 2010 market season from May 16- October 10, 2010.
2. Request from John Clute, Corporation Counsel to approve a two year extension of LEGAL SERVICES CONTRACT -- LABOR MATTERS with Goldberger and Kremer LLP.
3. Request from the Office of Community Development to approve a change order for Project Main St. BIP 2008 # 7 (EcoPrint Inc. – 63 Bridge St.) for \$6,980.00. The change order will be paid by a \$5,235 grant from the City's Main St program and the owner's share of \$1,745.
4. Request from Police Chief Desmond Racicot to approve the promotion of Corporal Christopher King to the position of Sergeant as of January 22, 2010 to fill the vacant position. **Moved under "New Business" as appointments by Mayor.**
5. Request from Police Chief Desmond Racicot to approve the promotion of Officer Craig Hilchey to Corporal effective January 22, 2010. **Moved under "New Business" as appointments by Mayor.**

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## **11. NEW BUSINESS:**

**Councilor Jackson** request from the Chamberlains office an accounting of Revenues received and expenses made in the Asset Forfeiture Fund. He would like to get a better handle on when we receive money and when we've expended money. He is requesting **Mayor Kasprzak** asks the **City Chamberlain** to do that because if there is a two year window with this money he wants to make sure we aren't breaking any of the agreements. He knows there are two different things that govern it; there is DOJ and some other.

**Mayor Kasprzak** said so what you are asking for is an accounting and the language of how long we have to disperse the funds, all the funds.

**Councilor Carpenter** said just out of curiosity he would like to know when the funds are coming so we have an idea of when we are getting it and how much time elapse before it is there available for us.

**Councilor Jackson** stated ultimately his goal in this depending on how DOJ and Homeland Security rules if there is a specific time limit what he would like to do is we accept revenue let say there is a two year window all the revenue we accepted in 2008 should be budgeted in 2010 because we know exactly what we have received then in year 2009 we are going to take in revenue that should be the amount of Asset Forfeiture budgeted in 2011. So that we are following the rules of this is when it

comes in there is a 2 year window to spend it that becomes the budget number for Asset Forfeiture 2 years after it comes in. So we can receive money January 1<sup>st</sup>, 2008 thru December 31<sup>st</sup>, 2008 we will no exactly how much money is there that's the money we budget to spend in 2010.

**Councilor Calnon** said your theory is right but we could spend it in 2009 or 2010. So the 2010 budget would be whatever 2008 money is leftover because we could have spent it in 2009.

**Councilor Jackson** said that is right.

**Mayor Kasprzak** said he understands what **Councilor Jackson** is asking.

**Councilor Carpenter** because we approve these travels and everything is Asset Forfeiture...Asset Forfeiture I really want a better understanding of what is Asset Forfeiture.

**Mayor Kasprzak** said we will get those answers for you.

**Councilor Valentine** asked if he would share it with them.

**Councilor Jackson** said of course and if we have the Chamberlain do it and he can share with all of them.

**MAYOR KASPRZAK HANDS DOWN THE APPOINTMENT OF CORPORAL CHRISTOPHER KING TO THE POSITION OF SERGEANT AS OF JANUARY 29, 2010 TO FILL THE VACANT POSITION.**

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**MAYOR KASPRZAK HANDS DOWN THE APPOINTMENT OF OFFICER CRAIG HILCHEY TO CORPORAL EFFECTIVE JANUARY 29, 2010.**

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Councilor Kelly** wanted to let everyone know he will not be at next weeks meeting (February 4, 2010) as he will be in San Diego, California at a Green Conference. He hopes to learn a lot and bring back information to use here.

**Mayor Kasprzak** wished him safe travels.

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## **12. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Calnon, Valentine, Jackson

(All voted in the affirmative)

**MEETING ADJOURNED:** 6:00 pm